IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.16500 of 2006

DATE OF DECISION: October 17, 2006

Dulari Exports Private Limited

….Petitioner

VERSUS

Haryana State Industrial Development Corporation Limited and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri Puneet Bali, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents.

On the asking of Court, Shri Ashok Jindal, Additional Advocate General, Haryana accepts notice on behalf of the respondents.

Copies of the writ petition have been supplied to the learned counsel for the respondents.

The petitioner is aggrieved against the order dated April 10,2003 (Annexure P.8, whereby the plot in question belonging to the petitioner company had been ordered to be resumed on account of non construction.

From the perusal of the record, we find that the petitioner company has already filed an appeal on May 25,2006 (Annexure P.11) before the appellate authority. The said appeal is still pending

consideration. An application for interim relief was also made by the petitioner company alongwith the appeal but no orders have been passed by the appellate authority so far. The petitioner company apprehends that the plot in question shall be allotted to some other person creating complications and rendering the appeal as infructuous.

In this view of the matter, without commenting upon the merits of the claim made by the petitioner company at this stage, we dispose of the present petition with a direction to the appellate authority to take a final decision on the aforesaid appeal filed by the petitioner company against the resumption order within a period of six months from the date a certified copy of this order is received.

Till the matter is finally decided by the appellate authority, the plot in question shall not be allotted to anybody else.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 17, 2006
KD

(H.S. Bhalla)
Judge